there is shortage of voluntary organisations or they are sending proposals in lesser number. Therefore, I would like to submit to the hon. Minister to pay special attention to this matter and ensure that the benefit reaches those for whom it is meant. The matter must be looked into in all respects and necessary provision should be made in this regard.

SHRI SITARAM KESRI : His suggestion is worth considering. I would certainly look into the matter.

SHRI UPENDRA NATH VERMA: Sir, are there any voluntary organisations in Bihar similar to those two voluntary organisations in Kerala about which we were discussing ? If so, how much grants have been sanctioned to them so far ?

MR. SPEAKER: This question relates to Kerala. If you do not have the information right now, you may supply it to the hon. Member later.

SHRI SITARAM KESRI: There is one in Bihar too.

[English]

Atrocities on Scheduled Castes and Scheduled Tribes

*450. SHRI MUKUL BALKRISHNA WASNIK : Will the Minister of WELFARE be pleased to state:

(a) the number of cases of atrocities on Scheduled Castes and Scheduled Tribes which were taken up by the National Commission for Scheduled Castes and Scheduled Tribes upto March 31, 1991 ;

(b) whether the Government have received the recommendation made by the Commission on Scheduled Castes and Scheduled Tribes to curb the rising trend of atrocities on Scheduled Castes and Scheduled Tribes ;

(c) if so, the details thereof ; and

(d) the reaction of the Government thereto ?

[Translation]

THE MINISTER OF WELFARE (SHRI SITARAM KESRI): (a) to (d) A Statement is laid on the Table of the House.

STATEMENT

(a) The National Commission for Scheduled Castes and Scheduled Tribes took up 416 cases of atrocities on Scheduled Castes and Scheduled Tribes from 1st May, 1990 to 31st March, 1991.

(b) and (c) The National Commission for Scheduled Castes and Scheduled Tribes in their report on "Atrocities on Scheduled Castes and Tribes: Causes and Remedies", have made the following suggestions :—

(i) where there have been references by the Courts under S. 156(3) Cr. P.C. to the police authorities for undertaking investigations, supervisory police authorities should inquire into the reasons for failure to register the case. Investigations in such "referred" cases should be done by the higher police authorities.

(ii) To prevent suppression of evidence, the scene of the atrocity must be visited expeditiously. Inspecting police

officers must check this point during police station inspections.

(iii) Charge sheets in atrocity cases must be filed as a rule within 30 days. Any delay should be explained by the concerned police officer to the next higher police authority.

(iv) The high percentage of acquittals in atrocity cases indicates poor quality of prosecutions. The officers of the Special Cells should discuss periodically with prosecuting staff the marshalling and presentation of evidence in order to make prosecutions effective.

(v) The state level cells for handling/monitoring inquirires and investigations into atrocities should be activised.

(vi) State Governments should monitor areas sensitive to atrocities and initiate advance action in time.

(vii) Instead of establishing special police stations for Scheduled Castes and Scheduled Tribes with unwieldly jurisidictions, it is advisable to give priority attention to atrocity cases by posting additional Sub-Inspectors or Head Constables in places with concentrations of Scheduled Caste/Scheduled Tribe population.

(viii) Uu-to-date locality-wise statistics of crimes against Scheduled Castes and Scheduled Tribes should be maintained to enable monitoring and anticipatory action. The National Crime Records Bureau should include in their Annual Crime Review separate statistics for atrocities against Scheduled Castes and Tribes.

(ix) Police officers should familiarise themselves with the provisions of special enactments like the Prevention of Atrocities Act and the Bonded Labour System Abolition Act as part of training for recruits and refresher courses for in-service officers.

(x) There should be special courts exclusively for atrocity cases, if necessary by constituting itenerating special courts.

(xi) Wherever special enactments provide for executive magistrates, this facility should be made use of fully. The courts of such executive magistrates should be peripatetic; the proceedings should be simple and redress should be given quickly.

(xii) In atrocity cases, legal aid should be available for lawyers' fee, witnesses batta, copying fees and travel expenses to the police station and court. Scheduled Caste/Tribe complainants or accused should be eligible for legal aid.

(xiii) The provisions of the Arms Act should be used judiciously to prevent atrocities in sensitive areas.

(xiv) In cases of rape in police stations, women police officers should be associated with the inquiries so that the victims and women witnesses

can speak to them without inhibitions.

(xv) Public interest litigation is of special importance where crimes are perpetrated on Scheduled Castes and Tribes by the police. Such public litigation by socially committed organisations or individuals should be assisted from legal aid funds ; and

(xvi) Anoymity for the victims in rape cases should be ensured, but maximum publicity and resulting social stigma should be made to stick on the miscreants.

(d) A copy of the Report of the National Commission has been sent to all the State Governments and U.T. Administrations for taking necessary action.

[*English*]

SHRI MUKUL BALKRISHNA WASNIK : Mr. Speaker, Sir, according to the information provided in the Annual Report of the Ministry of Welfare, during the year 1990, as many as 607 murders, 1,722 cases of grievous hurt, 949 rapes, 639 cases of arson and 14,710 other offences under IPC,—totalling to 18,601 cases of atrocities were committed against the Scheduled Castes and Scheduled Tribes by members of non-Scheduled Castes and non-Scheduled Tribes in different parts of the country. According to the reply of the hon. Minister, the National Commission for Scheduled Castes and Scheduled Tribes have taken up 416 cases of atrocities till March 1991. Keeping in view the large number of atrocities being committed in various parts of the country, may I know from the hon. Minister whether the Government will provide more funds and better infrastructure and machinery to the National Commission, so that they can function more effectively ?

[*Translation*]

SHRI SITARAM KESRI : Sir, so far as the figure of 18,601 cases is concerned, it is almost correct. Our figure is also 16,000 and odd number but we have not received figures from three States. The figures that he has provided may be correct. So far as different .... (*Interruptions*) ....

[*English*]

There is no difference between the two statements. But I am now telling what is written in my statement.

[*Translation*]

So far as increasing the amount of grants for checking atrocities on Scheduled Castes is concerned, I would like to submit that the grants are limited. So far as the report of the Commission is concerned in which cases of atrocities including rape have been mentioned, I do not say that the number of these cases has gone down. In some States they have gone down while in other States they have gone up. So far as increasing the amount of grants is concerned, I would like to request the Ministry of Finance to provide more grants to this department. But the possibility of curbing these atrocities and inhuman behaviour with the help of money alone is remote. Instead, goodwill, harmony, Government and the Police can play

a better role. His suggestion is worth considering. We will certainly take it into account.

[English]

SHRI MUKUL BALKRISHNA WASNIK: Mr. Speaker Sir, according to the written statement of the hon. Minister, the National Commission for Scheduled Castes and Scheduled Tribes has submitted to the Government about 16 suggestions on how to deal with the cases and also certain remedies regarding the atrocities on the Scheduled Castes and Scheduled Tribes. We are discussing the atrocities issue in the House also. Several members have also made several suggestions to check this evil which is spreading in various parts of the country. I would like to know from the Hon. Minister whether the Government will consider to call a meeting of all the Chief Ministers to discuss this issue of atrocities and to plan remedial measures so that such type of incidents will not occur as frequently as they are occurring at present.

SHRI SITARAM KESRI : Sir, I welcome this. It is a very constructive suggestion. I shall try to convene a meeting and discuss it with the different Chief Ministers as to how to curb and minimise atrocities on the harijans and adivasis.

[Translation]

SHRI RAM VILAS PASWAN : Mr. Speaker, Sir, at the end of his reply, the Hon. Minister stated that a copy of the report of the National Commission on Scheduled Castes and Scheduled Tribes has been forwarded to all the state Governments for necessary action. As you are aware, the National Front Government granted statutory powers to this Commission through a Constitutional Amendment. This not only gave it teeth, but also widened its scope. Now, the body is empowered to issue summons also. Although the Commission has been given all kinds of powers, it seems from your answer that even now its style of functioning has not changed. The most important reason behind it is that the Commission is yet to be reconstituted, in accordance with its new character, role and responsibilities. Therefore, I would like to know from the Government, the time by which it would be re-constituted and start functioning according to the new powers and authority at its disposal ?

SHRI SITARAM KESRI : Sir, the Hon. Member has correctly observed that the Commission's powers have been increased. So far as the question of the constitution of the new Commission is concerned, I would like to inform that I am in the process of doing that. It would be a strong and responsible body, but the selection process would take some time. However, I would like to inform the House that we shall constitute it by the last week of September and it would start functioning immediately thereafter.

[English]

SHRIMATI MALINI BHATTACHARYA : Sir, it seems that at two different stages of the working of the National Commission, there have been different interpretations regarding the limits of its authority.

At one stage, until April, 1990, it has been regarded as an authority for studying the circumstances—the social, economic and other relevant circumstances—leading to the commission of offences, whereas after April, 1990, it was then regarded as part of the authority of the Commission to take up individual cases. This is why these 416 cases which have been mentioned by you, were taken up after April, 1990.

Now, the question that I would like to ask the Minister, through you Sir, is this. How does the present Government regarded the limits of the authority of the Commission for Scheduled Castes and Scheduled Tribes? Is it just to have certain post mortem powers, powers of studying things after the event or is it to be a monitoring body also with certain powers of intervention in policy making regarding scheduled castes and scheduled tribes?

[*Translation*]

SHRI SITARAM KESRI : Sir, the new Commission possesses vast powers and it is empowered to call for or summon and examine any person or document connected with any incident of atrocity on the Scheduled Castes and Scheduled Tribes. (*Interruptions*)

[*English*]

SHRIMATI MALINI BHATTACHARYA : But that was not done till April, 1990.

[*Translation*]

SHRI SITARAM KESRI : True, till that time, it was not empowered to do so, but now the Commission has such powers at its disposal. The only hitch is that it remains to be constituted. Once it is constituted, it would start its work in right earnest and it would have such vast powers that it can summon and examine any person or document. As you correctly observed, after April 1990, the Commission took up 416 cases of atrocities and I have taken up the matter with the concerned State Governments for necessary action and their opinion in this regard.

[*English*]

SHRIMATI MALINI BHATTACHARYA : What about advisory powers in policy making?

MR. SPEAKER : In fact, very big policy matters are not discussed during the Question Hour; small policy matters can be discussed.

SHRI ANNA JOSHI : The suggestions which the Commission has given have been circulated to all the States and the Union Territories. One of the suggestions is that there should be special courts exclusively for atrocities cases. How many special courts have been constituted in different States or at least in the Union Territories?

[*Translation*]

SHRI SITARAM KESRI : Sir so far as the question of special courts is concerned, I would like to state that recently one has been set up in Andhra Pradesh and before that one was established in Rajasthan. Now, the State Governments are fully empowered to set up special courts. The maximum we can do is to give them our opinion and suggestions in this regard, but as I said, the power to set up such courts rests with the State

Governments and they have to do it in association with the High Courts etc., Similar is the case with the Union Territories.

SHRI RAM VILAS PASWAN : But, it was specified that such courts would be set up in 400 districts.

SHRI SITARAM KESRI : So far as the question of Specification and establishment of such courts is concerned, it falls in the jurisdiction of the State Governments.

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, I welcome the assurance given by the Hon. Minister that the Commission would look into individual cases of atrocities as well. Till now, there was a doubt whether the Commission would inquire into individual cases, but with your assurance, it has become clear that the Commission would take up those cases of atrocities on individuals, which are brought to its notice. After inquiring into various cases of atrocities, the Commission submitted a report in April, 1990, as mentioned during the course of the current discussion. This report contains many valuable and important suggestions also. I would like to know whether the Central Government has looked into those suggestions and if so, what is its opinion about them ?

SHRI SITARAM KESRI : Sir the report of the Commission on atrocities in 1990, as I stated earlier, had been sent to the State Governments for necessary action. I think state Governments must have acted upon that report. If any information about negligence on the part of the State Governments is received, then I will definitely get in touch with the Ministry of Home Affairs or another Commission may be constituted. All the matters relating to law and order fall under the purview of the state governments.

SHRI CHANDRA JEET YADAV : Mr. Speaker, Sir increase in the number of cases of atrocities on Schedulel Castes and Scheduled Tribes in the recent past, instead of declining, must have caught the eye of the Hon. Minister. One of the causes of increase in atrocities on Scheduled Castes is that if the voters of Scheduled Castes do not caste their votes in favour of a particular party and if that party happens to come to power, the atrocities on Scheduled Castes will definitely increase.

Secondly, as per the existing laws it is difficult for Scheduled Castes to get licences for arms for self defence. Laws prescribe minimum size of land holidings and other assets for acquiring arms. Will the Hon. Minister take up with the Chief Ministers, the issue of granting licences for arms in atrocities prone areas.

SHRI SITARAM KESRI : Sir, so far as the first pronouncement of the Hon. Member is concerned, I will say that if any Government, whether it is our party's Government or any other party's Government, takes measures by way of reprisal, it is shameful. Such acts can not be commended. (*Interruptions*).

First listen to me. I am telling you my feelings. Nursing of feeling of revenge and violence against weaker sections by any Government, is against the dignity of that Government.

In response to the second question, would like to state that this section of society is definitely crippled, for years, but arousal of a sense of awareness and self esteem among these people is a matter of happiness. In response to the issue of making suggestions to the Chief Ministers regarding granting licences for arms, I do not want to express my personal opinion as a Minister, but as per the laws in force licences for arms should be issued to them.

Training Courses at Vishwayatan Yogashram

[*Translation*]

*451 SHRI SIMON MARANDI : Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether training courses at Vishawayatan Yogashram were suspended early this year and then restarted after a few months ;

(b) if so, the reasons for suspending the said training courses ;

(c) whether the students of Aparana Ashram, Katra (J&K) launched an agitation on April 30, 1990 demanding recognition of the diploma course by the Union Government for that year;

(d) if so, the action taken by the Government in this regard;

(e) the number of students who have been awarded one year diploma certificate since 1990 and the number of cases still pending in this regard;

(f) whether the Government propose to take over the Vishwayatan Yogashram; and

(g) if so, the action contemplated in this regard ?

[*English*]

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI D. K. THARADEVI SIDDHARATHA) : (a) to (g) A Statement is laid on the Table of the House.

STATEMENT

(a) and (b) All activities of Vishwayatan Yogashram, including training courses on Yoga, were suspended with effect from 30th April, 1990. Some students of Vishwayatan Yogashram, who had completed only part of the course, requested the Government to make arrangements for completion of their training. Although Government had no direct responsibility for the students of a private institution, as a humanitarian gesture the Central Council for Research in Yoga and Naturopathy was entrusted with the task of completing the training course of such students. This course has since been completed on 31-7-1991.

(c) No, Sir. It is the students of Vishwayatan Yogashram who have been making this demand.

(d) The Department of Education in the Ministry of Human Resource Development has clarified that Vishwayatan Yogashram is not legally empowered to grant degrees or diplomas. Therefore the question of recognising their diploma does not arise.

(e) As per available information, Vishwayatan Yogashram has awarded provisional Diploma/Certificates to